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SUBJECT: ITALY WITH EU CONSENSUS ON INDIGENOUS PEOPLES  
DECLARATION

REF: STATE 78740

11. (SBU) New Zealand Deputy Head of Mission Adele Bryant, Australian Deputy Head of Mission Angus MacKenzie, and Poloff delivered reftel demarche to MFA Office Director for Human Rights Laura Carpini May 22, emphasizing our joint concerns with the draft UN Declaration on the Rights of Indigenous Peoples. Bryant took the lead, as agreed, and outlined the negotiation process, noting our substantive and procedural concerns. MacKenzie elaborated on specific concerns like self-determination rights, land rights, and mechanisms for addressing legal concerns through a state's justice system. Poloff highlighted the potential negative impact of adopting the resolution as-is at the first Human Rights Council (HRC) session, placing the rights of a group above that of individuals, and setting the example of adopting a resolution that did not enjoy consensus.

12. (SBU) Carpini acknowledged that she had not studied the declaration sufficiently to be able to respond. She promised to look over the non-papers we presented. June 13, Carpini responded that Italy had consulted with its EU partners and that it would abide by the EU consensus to present the text of the declaration at the HRC, on the grounds that there was nothing further to be gained from additional discussion. Italy is an observer at this year's HRC sessions, but has announced its candidature for 2007 WEOG seat. Carpini highlighted that there seemed to be no reason to expect the text to improve, and no plan for how such discussions might go forward. Bryant noted that other countries shared our concerns and we could expect the declaration to be a lively agenda item in Geneva when the HRC convenes.  
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